

<b>Notice of Allowability</b>	Application No.	Applicant(s)	
	10/624,056	BOND ET AL.	
	Examiner	Art Unit	
	Christine M. Behncke	3661	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to Amendment and Remarks filed 25 July 2005.
2.  The allowed claim(s) is/are 1-71.
3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*
  - c)  None
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_.
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

*Thomas G. Black*  
 THOMAS G. BLACK  
 SUPERVISORY PATENT EXAMINER  
 GROUP 300

### **DETAILED ACTION**

1. This office action is in response to the Amendment and Remarks filed 25 July 2005, in which claims 1-71 were presented for examination.

#### ***Allowable Subject Matter***

2. **Claims 1-71** are allowed.

The following is an examiner's statement of reasons for allowance:

3. Regarding independent Claims 1 and 30, the prior art of record does not disclose, teach or suggest a pump-less anti-lock brake apparatuses for controlling the rotational speeds of only the rear brakes of a vehicle comprising a rear brake pressure control (RPC) apparatus wherein the RPC includes a hydraulic control unit (HCU) and an electrical control unit that is operatively connected to the HCU for controlling the HCU as a function of the rotational speeds of the at least one front wheel and one rear wheel.

4. Regarding independent Claims 43, 53 and 63, the prior art of record does not disclose, teach or suggest a method for controlling a rear brake hydraulic circuit of a pump-less anti-lock brake apparatus for controlling the rotational speeds of only the rear brakes of a vehicle; wherein controlling fluid pressure and flow from a master cylinder applied to the rear brakes and flow to and from a fluid storage element as a function of the rotation speeds of at least one front and one rear wheel.

5. Applicant has argued in Remarks filed 25 July 2005 that the claimed limitation of "at least one front and one rear wheel", meaning the gathering of rotational speeds of at

least one front and at least one rear wheel, is essential for overcoming the prior art of record. The prior art of record, Atkins (US 6,290,312) discloses the limitations as applied to independent claims 1, 30, and 43 except Atkins teaches the controlling of the HCU as a function of at least one rear wheel.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

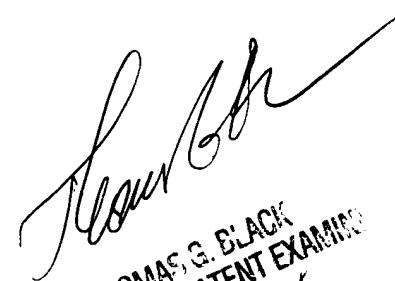
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christine M. Behncke whose telephone number is (571) 272-8103. The examiner can normally be reached on Monday - Friday 8:30 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas G. Black can be reached on (571) 272-6956. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

09-28-2005



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